

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

Robert D. Jones, Jr.)	
)	
Plaintiff,)	Case No. 3:12-cv-63
)	
vs.)	ORDER ADOPTING
)	REPORT AND RECOMMENDATION
Mark Boeng, Honorable Judge Webb, and)	
Reid Brady,)	
)	
Defendants.)	

The Court has received a Report and Recommendation from the Honorable Karen K. Klein, United States Magistrate Judge, recommending that Robert D. Jones Jr.'s complaint be dismissed because it was not properly brought as a habeas corpus petition and because the named defendants are immune from suit (Doc. #11). Jones has not objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation, along with the entire record in this matter, and finds that the Magistrate Judge's position is correct. The Court **ADOPTS** the Report and Recommendation in its entirety and **ORDERS** that Jones's complaint is **DISMISSED WITH PREJUDICE**. The Court **FURTHER ADOPTS** the Magistrate Judge's recommendation and finds that any appeal would be frivolous, could not be taken in good faith, and may not be taken *in forma pauperis*.

IT IS SO ORDERED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated this 21st day of February, 2013

/s/ Ralph R. Erickson
Ralph R. Erickson, District Judge
United States District Court